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Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

<p>KENNETH JEPSON; JASON JEPSON; BRIAN JEPSON,</p>	<p style="text-align: center;">NOTICE OF REMOVAL</p> <p style="text-align: center;">Case No. 2:20-cv-00831-DBB Judge David B. Barlow</p>
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Plaintiffs,

v.

SCOTT MAXFIELD; and CANDYCO LLC
d/b/a MRS. CALLS,

Defendants.

Defendants Scott Maxfield and CandyCo LLC, through their undersigned counsel, Bryan Pattison and Elijah Milne, pursuant to 28 U.S.C. §§ 1331, 1441(c), and 1446(a) and (b), hereby remove this action from the Fourth Judicial District Court for Wasatch County, State of Utah, to the United States District Court for the District of Utah, Central Division.

In support of this removal, Defendants state as follows:

1. Plaintiffs filed this action in the Fourth District Court for Wasatch County on September 11, 2020.

2. The complaint contains a cause of action under the Fair Labor Standards Act of 1938, 29 U.S.C. § 201 *et. seq.*, and claims a violation of 29 U.S.C. §§ 207(a) and 211(c). This Court has original jurisdiction over these claims under 28 U.S.C. § 1331. Therefore, this case may be removed to this Court pursuant to 28 U.S.C. §§ 1441(c) and 1446(a) and (b).

3. Plaintiffs did not serve Defendant Maxfield until November 1, 2020.

4. This Notice of Removal is therefore timely filed within the 30-day period following Defendants' receipt of notice of eligibility for removal.

5. Pursuant to 28 U.S.C. § 1446, copies of all process, pleadings, and orders served upon the above-named Defendants, as of the date of this Notice, have been attached.

6. A copy of this Notice of Removal is being served upon Plaintiffs, through their attorneys of record, Bruce M. Franson, and upon the clerk of the Fourth District Court for Wasatch County.

7. All Defendants join in this removal.

DATED: November 23, 2020.

DENTONS DURHAM JONES & PINEGAR P.C.

/s/ Eli Milne

BRYAN J. PATTISON

ELIJAH J. MILNE

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2020, I served a signed copy of the foregoing
Notice of Removal on the following through the online CM/ECF system:

Bruce M. Franson
FLICKINGER SUTTERFIELD & BOULTON
9289 South Redwood Road, Ste. A
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Attorney for Plaintiff

/s/ Eli Milne